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July 19, 2022

VIA ECF and Email

Loraine Cortese-Costa, Esq.
Law Offices of Loraine Cortese-Costa
36 Main Street- #633
Old Saybrook, CT 06457

Re: Robert Crosby Jr. v Stew Leonard's of Yonkers, LLC, et. al.
22-cv-04907 (KMK)

Dear Ms. Cortese-Costa,

This firm is counsel to the Plaintiff in the above-entitled action. While this Honorable Court's rules require **fully counseled** matters in order to submit a Motion to Dismiss in Lieu of Complaint, and it does not appear that the defendant Stew Leonard's of Norwalk, LLC has appeared via counsel, Plaintiff respectfully submits this response to your letter dated July 12, 2022.

Service of Process

This firm has enlisted the services of Undisputed Legal, Inc. for over 7 years. Undisputed legal has been in the business of serving defendants in the tri-state area since 2010. The process server who served the Corporate defendant Stew Leonard's of Yonkers, LLC, specifically asked if the employee who received service of the Summons and Amended Complaint on the Corporate defendant, Mr. Eric Amako if he was authorized to accept service of process on behalf of the Corporation. Mr. Amako is the Store Manager of Yonkers and accordingly properly accepted service of the summons and complaint on behalf of the Corporate defendant.

With regard to Mr. Leonard, Jr. service was made at the last known home address at 5 Surf Road, Westport, Connecticut, via substituted service on a person of suitable age and discretion followed by a mailing.

I respectfully request that your office waive service on behalf of all 3 defendants.

The Plaintiff agrees to amend the Complaint pursuant to Section II (A) of Judge Karas' Individual Rules of Practice.

Plaintiff seeks to additionally amend the Complaint to add a cause of action under New York Labor Law Section 740.

Plaintiff is seeking a deadline of August 19, 2022, to submit its amended complaint.

Thank you,

Karen Mizrahi

cc: Via ECF and Regular Mail

Honorable Kenneth M. Karas
United States District Judge
Southern District of NY
300 Quarropas Street
White Plains, NY 10601